



City of Seattle

Gregory J. Nickels, Mayor
Department of Design, Construction and Land Use
D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF DESIGN, CONSTRUCTION AND LAND USE**

Application Number: 2201524
Applicant Name: Bill Singer for Washington Housing Equity Alliance
Address of Proposal: 3516 South Juneau Street

SUMMARY OF PROPOSED ACTION

Master Use Permit to subdivide one parcel into two (2) parcels of land. Proposed parcel sizes are: A) 28, 576 sq. ft. and B) 15,873 sq. ft.

The following approvals are required:

Short Subdivision - to subdivide one existing parcel into two parcels of land.
(Chapter 23.24, Seattle Municipal Code)

SEPA - Environmental Determination - Chapter 25.05, Seattle Municipal Code

SEPA DETERMINATION: ☐ Exempt ☐ DNS ☐ MDNS ☐ EIS

☒ DNS with conditions

☐ DNS involving non-exempt grading or demolition, or
involving another agency with jurisdiction.

BACKGROUND DATA

Site Description

The approximately one (1) acre site is located in a Commercial 1 zone with a maximum height limit of sixty-five (65) feet (C1-65). The parcel is within the MLK @ Holly Street Residential

Urban Village. The parcel is located on the west side of M.L. King Jr. Way South between S. Orcas Street and South Juneau Street. There is a platted alley at the north edge of the property. There are structures on the southerly portion of the lot where the smaller lot will be created. The parcel is within a steep slope designated Environmentally Critical Area. The project has received a limited steep slope exemption (project # 2300383).

Area Development

The area is undergoing rapid development of single family homes, assisted care facilities and some new commercial development along M. L. King Jr. Way South.

Proposal

The proposal is to subdivide one lot into two lots. Proposed lot areas are: A) 28,576 sq. ft., and B) 15,873 sq. ft. Parcel A will have frontage on M. L. King Jr. Way South. Parcel A will also have access to South Juneau Street via a twenty-foot easement over Parcel B. The existing use/building located on Parcel B is anticipated to remain and parcel A will be developed.

Public Comment

No comments were received during the official public comment period, which ended October 30, 2002.

ANALYSIS - SHORT SUBDIVISION

Pursuant to SMC 23.24.040, no short plat shall be approved unless all of the following facts and conditions are found to exist:

1. *Conformance to the applicable Land Use Policies and Land Use Code provisions;*
2. *Adequacy of access for vehicles, utilities, and fire protection, as provided in Section 23.54.010;*
3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*
4. *Whether the public use and interests are served by permitting the proposed division of land;*
5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions, in environmentally critical areas;*
6. *Is designed to maximize the retention of existing trees;*

7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single family housing.*

Based on information provided by the applicant, referral comments from the Land Use Plans Examiner, the Drainage Section, the Fire Department, Seattle Public Utilities (City Light and the Water Department), and review by the Land Use Planner, the following findings are made with respect to the above-cited criteria:

1. The subject property is zoned Commercial. As such, future development of individual lots must comply with the development and use requirements of SMC Chapter 23.47. The proposed parcels provide adequate buildable area to meet applicable setbacks, lot coverage requirements, and other Land Use Code development standards.
2. The proposed parcels will have vehicular access to South Juneau Street. The Seattle Fire Department has no objection to the proposed short plat. Seattle City Light reviewed the proposal and does not require an easement to provide for electrical facilities and service to the proposed lots. This short plat provides for adequate access for vehicles, utilities, and fire protection.
3. This area is served with domestic water, sanitary sewer, and storm drain facilities by the City of Seattle. Availability of service is assured subject to standard conditions of utility extension. The Short Plat application has been reviewed by Seattle Public Utilities and a Water Availability Certificate 02-1072 was issued October 11, 2002. A 36" public sanitary sewer is available in S. Juneau Street. An easement "along-the-line as constructed" for the existing side sewer where it crosses proposed Parcel A should be included as part of the legal description for the benefit of proposed Parcel B.
4. The subdivision of this commercial site into two lots will not be out of character with the development pattern, lot sizes, or streetscape pattern in the vicinity and will provide additional lots for development. The public uses and interests are served by permitting the proposed subdivision of land. The proposal meets all applicable criteria for approval of a short plat as discussed in this analysis.
5. This site is in an environmentally critical area as defined in SMC 25.09.240. There are steep slope environmentally critical areas mapped or otherwise observed on the site.

The proposal site contains identified Steep Slope, Environmentally Critical Areas (ECA) as defined in Seattle Municipal Code Chapter 25.09. The project received a limited exemption to the steep slope development standards (project # 2300383). The ECA general, submittal, and Landslide-hazard Development Standards are applicable. Short subdivisions in Environmentally Critical Areas must meet requirements of SMC 25.09.240 (A-E). Each parcel will have a building site and access that is outside the steep slope area, and the lots are configured to preserve the ECA.

6. The project is designed to maximize the retention of existing trees.
7. This Short subdivision is not a unit subdivision. Thus, this section is not applicable to this short plat proposal.

DECISION - SHORT SUBDIVISION

The proposed short plat is **CONDITIONALLY GRANTED**.

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the Environmental Checklist dated October 10, 2002, which was submitted by the applicant and annotated by the reviewer. The information provided in the Environmental Checklist, the plans submitted by the applicant, and the experience of the lead agency with the review of similar projects, are the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665(D)) states, “*Where City regulations have been adopted to address environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation,*” subject to some limitations. Under such limitations, mitigations may be considered.

Long-Term Impacts

Long-term or use-related impacts are anticipated as a result of the proposal. The anticipated long-term impacts will be possible water runoff effect from new impervious surfaces, possible loss of trees, soil disturbance due to new construction. These impacts are not considered significant. Adopted City codes and/or ordinances provide mitigation for the identified impacts. Compliance with these applicable codes and ordinances is adequate to achieve sufficient mitigation of these long-term impacts and no further conditioning is warranted by SEPA policies.

Water

Proposed parcels will have increased impervious surface from access driveways and the area of the structure. The water runoff from these sources will be tight lined into the City storm drainage system thereby avoiding impacts on the land. The Land Use Code provides extensive conditioning authority to mitigate the impacts of storm water from development on surrounding areas; therefore, no additional conditioning is warranted pursuant to SEPA policies.

Plants

Prior to issuance of the Master Use Permit, the proposal will be required to be consistent with all applicable provisions of the Land Use Code relating to tree preservation and/or, replacement.

The Land Use Code provides extensive conditioning authority to mitigate the impacts of development on tree preservation; therefore, no additional conditioning is warranted pursuant to SEPA policies.

Soil

Property development and redevelopment sometimes contributes to landslides, accelerated soil creep, settlement or subsidence. The Grading and Drainage Control Ordinance was specifically developed to prevent or minimize impacts resulting from earth fills and excavations. The explorations performed on the site by Geotech Consultants, Inc. indicate that the underlying material is weathered siltstone and siltstone. The Geotechnical engineering study states that siltstone is a very competent material, and will provide a very reliable base for the project. The erosion control measure need during the site development will depend on the weather conditions. The erosion potential on the site is relatively low, but building plans shall include a temporary drainage and erosion control plan prepared by a licensed Civil Engineer. Details and notes should be included on plans. Also a preconstruction site meeting is required with DCLU to address erosion control measures prior to demolition. Contact (206) 684-8860 to arrange the meeting.

DECISION - SEPA

This decision is made after review by the responsible official on behalf of the lead agency, in addition to a completed environmental checklist and other information on file with DCLU. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined not to have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21.030(2)(c).
- [] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030(2)(c).

CONDITIONS - SEPA

1. Building plans shall include a temporary drainage and erosion control plan prepared by a licensed Civil Engineer. Details and notes should be included on plans.
2. A pre-construction site meeting is required with DCLU to address erosion control measures prior to demolition. Contact (206) 684-8860 to arrange the meeting.

CONDITIONS - SHORT SUBDIVISION

Conditions of Approval Prior to Recording

The owner(s) and/or responsible party(s) shall:

1. Have final recording documents prepared by or under the supervision of a Washington State licensed land surveyor. Each lot, parcel, or tract created by the short subdivision shall be surveyed in accordance with appropriate State statutes. The property corners set shall be identified on the plat and encroachments such as side yard easements, fences or structures shall be shown. Lot areas shall be shown on the plat. All existing structures, principal and accessory, shall be shown on the face of the plat, and their distances to the proposed property lines dimensioned.
2. Submit the recording forms for approval.

Signature: _____ (signature on file) Date: March 24, 2003
Holly J. Godard, Land Use Planner
Department of Design, Construction and Land Use
Land Use Services

HJG:vr